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### STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Nielsen O., et al

Application No./Patent No.: 10/597,977 Filed/Issue Date: September 12, 2006

Entitled: Crystalline Forms of a Pharmaceutical Compound

Cephalon, Inc., a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or  
2. ☐ an assignee of less than the entire right, title, and interest  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Rock, MH; De Diego, HL; Christensen, KL; Nielsen, O.; Buur, A.; Howells, M.

To: H. Lundbeck A/S

The document was recorded in the United States Patent and Trademark Office at  
Reel 018233, Frame 0576, or for which a copy thereof is attached.

2. From: H. Lundbeck A/S

To: Cephalon, Inc.

A copy of this document is attached.

3. From: \_\_\_\_\_

To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

**[NOTE: A separate copy (i.e., a true copy of the original document(s)) must be submitted to Assignment**

**Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO.**  
**See MPEP 302.08]**

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

/Ross J. Oehler/

Signature

Ross J. Oehler

Printed or Typed Name

Vice President, IP & Chief

Patent Counsel

Title

11/30/2010

Date

610.727.6341

Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

## ASSIGNMENT OF H. LUNDBECK A/S PATENT ESTATE

THIS PATENT ASSIGNMENT is made this 18 day of November, 2010 ("Effective Date").

WHEREAS, H. Lundbeck A/S ("COMPANY") hereinafter also referred to as the assignors, of 9 Ottiliavej DK-2500 Valby, Copenhagen, Denmark is the sole owner of the entire right, title and interest in the subject matter and inventions in the patents and patent applications related to solid state forms of CEP-1347 (CA index name: [9S- (9 $\alpha$ , 10 $\beta$ , 12 $\alpha$ )]- 5, 16-Bis [(ethylthio) methyl]-2, 3, 9, 10, 11, 12- hexahydro- 10- hydroxy- 9- methyl-1- oxo- 9, 12- epoxy- 1H- diindolo [1, 2, 3-fg: 3', 2', 1'- kl] pyrrolo [3,4-i] [1, 6] benzodiazocine-10-carboxylic acid methyl ester), including those listed in Schedule A to this Assignment (the "Patents"); and

WHEREAS, Cephalon, Inc. ("Cephalon") hereinafter also referred to as the assignee, of 41 Moores Road, PO Box 4011, Frazer, PA 19355, a corporation of Delaware, is desirous of acquiring the entire right, title and interest in and to said patent or patent applications and in and to the said patent or patent application in any and all countries:

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, COMPANY, the said assignor, has sold, assigned, transferred, delivered and set over, and by these presents do hereby sell, assign, transfer, deliver and set over to said assignee, the entire right, title and interest in and to said patent or patent application and any and all continuations, divisions and renewals of and substitutes for said patent or patent application in the United States and any and all other countries, and any reissue or reissues or extension or extensions of said patent or patent application, and assign to and authorize said assignee, to file in the names of the inventors applications for patent in all countries, the same to be held and enjoyed by said assignee, its successors, assigns, nominees or legal representatives, to the full end of the term or terms for which said patents respectively may be granted, reissued or extended, as fully and entirely as the same would have been held and enjoyed by COMPANY had this assignment, sale and transfer not been made.


AND COMPANY hereby covenants that it has full right to convey the entire interest herein assigned, and that COMPANY has not executed and will not execute any agreement in conflict herewith, and COMPANY further covenants and agrees that it will each time request is made and without undue delay, execute and deliver all such papers as may be necessary or desirable to perfect the title to said patent or patent application to said assignee, its successors, assigns, nominees, or legal representatives, and COMPANY agrees to communicate to said assignee or to its nominee all known facts respecting said patent or patent application, to testify in any legal proceedings (with any and all costs to be reimbursed by Cephalon), to sign all lawful papers to execute all disclaimers and divisional, continuing, reissue and foreign applications, to make all rightful oaths, and generally to do everything possible to aid said assignee, its successors, assigns, nominees and legal representatives to obtain and

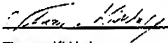
enforce for its or their own benefit proper patent protection for said patent or patent application in any and all countries.

AND we hereby authorize and request the Commissioner of Patents and Trademarks of the United States and any official of any country or countries foreign to the United States whose duty it is to issue patents on applications as aforesaid, to issue to said assignee, as assignee of the entire right, title and interest, any and all patents which may be issued and granted on or as a result of the application aforesaid, in accordance with the terms of this assignment.

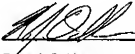
IN WITNESS whereof the parties hereto have executed this Assignment as of the Effective Date:

SIGNED for and on behalf  
of H. LUNDBECK A/S

)   
) Lise Abildgaard Ryberg  
Vice President  
Corporate Patents & Trademarks

  
Thomas Kirkbak  
Head of Department  
Corporate Trademarks &  
Anti-counterfeit

SIGNED for and on behalf  
of CEPHALON, INC.

)   
) Ross J. Oehler  
Vice President, Intellectual Property  
and Chief Patent Counsel

## SCHEDULE A

### II. Lundbeck A/S Owned Intellectual Property

H. Lundbeck Docket No.	Patent App. No./ Patent No.	Filing Date	Country
487-AR-NP	P050100684	24 Feb 05	AR
487-AU-PCT	2005217024	24 Feb 05	AU
487-BR-PCT	PI0507995.0	24 Feb 05	BR
487-CA-PCT	2557371	24 Feb 05	CA
487-CL-NP	0404/05	24 Feb 05	CL
487-CN-PCT	ZL200580005979 0	24 Feb 05	CN
487-CO-PCT	06084421	24 Feb 05	CO
487-DK-NP	PA200400326	27 Feb 04	DK
487-EA-EAT	200601566	24 Feb 05	EA
487-EG-PCT	PCT800/2006	24 Feb 05	EG
487-EP-EPT	05706789 4	24 Feb 05	EP
487-GC-NP	GCC/P/2005/4339	26 Feb 05	GC
487-HK-FPR	1102087B	24 Feb 05	HK
487-ID-PCT	W00200602352	24 Feb 05	ID
487-IL-PCT	177451	24 Feb 05	IL
487-IN-PCT	03095/CHENP/2006	24 Feb 05	IN
487-JP-PCT	2007-500051	24 Feb 05	JP
487-KR-PCT	2006-7017263	24 Feb 05	KR
487-LB-NP	7167	24 Feb 05	LB
487-MX-PCT	275039	24 Feb 05	MX
487-MY-NP	PI20050759	25 Feb 05	MY
487-NO-PCT	20064348	24 Feb 05	NO
487-NZ-PCT	548857	24 Feb 05	NZ
487-PH-PCT	1-2006-501515	24 Feb 05	PH
487-SG-PCT	124905	24 Feb 05	SG
487-TW-NP	94104432	16 Feb 05	TW
487-UA-PCT	90259	24 Feb 05	UA
487-US-PSP	60/548,351	27 Feb 04	US
487-US-PCT	10/597,977	24 Feb 05	US
487-VE-PCT	2005/000326	24 Feb 05	VE
487-VN-PCT	1-2006-01578	24 Feb 05	VN
487-WO-PCT	PCT/DK2005/082920	24 Feb 05	WO
487-ZA-PCT	2006/06556	24 Feb 05	ZA